IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION W.NO. 2738 OF 2005
IN
WRIT PETITION NO.2208 OF 1991

1.M/s Mukand Limited and anr. .. Petitioners
Vs
1. The Assistant Collector of
Central Excise, Thane and ors. .. Respondents

Mr P.V.Patankar, for the petitioners.
None for the respondents.

CORAM : V.G.PALSHIKAR, Ag.C.J., &
D.B.BHOSALE,J.
DATE : 16.11.2005.
PC:

1. By this civil application, the petitioners seek payment of interest at the rate of 15% per annum on the amount retained by the State.

2. The original writ petition no.2208 of 1991 filed by the petitioners was decided on 12.2.2004 and, the petition was allowed granting reliefs claimed therein. The petitioners should have or ought to have made any such claim for interest at the time when the order dated 12.2.2004 was passed. Having failed to do so and the petition having ended in his favour by that order, the civil application for grant of interest at subsequent stage is not tenable. The civil application is, therefore, rejected.